

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

Crl.MC.No. 1668 of 2007()

CMP.512/2007 of JUDL.MAGISTRATE OF FIRST CLASS-II, ALUVA
CRIME NO.786/06 OF ANGAMALY POLICE STATION
.....

PETITIONER: 1ST ACCUSED

NABEESA KOYAKUTTY,
W/O.KOYAKUTTY, NADAKKAPARAMBIL, MAMBRAM KARA,
PARAKKADAVU VILLAGE.

BY ADV. SRI.C.D.JOHNY
SRI.P.SHAIJAN JOSEPH

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
S.H.O. ANGAMALY THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

Crl.M.C.No.1668 of 2007

Dated this the 20th day of September, 2007

O R D E R

The petitioner is aggrieved by the conditions imposed by the learned Magistrate when her passport was directed to be released to her under the impugned order. The petitioner has been directed to deposit an amount of Rs.50,000/- and execute a bond for Rs.10,000/-. The learned counsel for the petitioner submits that conditions are too onerous and the petitioner is unable to comply with the same. The learned counsel for the petitioner submits that in the very case as condition for grant of bail, the petitioner has already deposited an amount of Rs.50,000/-.

2. Notice was given to the learned Public Prosecutor . The learned Public Prosecutor submitted initially that the petitioner is still at large in some of the cases. Now it is submitted that the petitioner is on bail in all the cases against her. The learned Public Prosecutor airs the apprehension that the petitioner may not be available for trial if appropriate conditions are not imposed.

3. I have considered all the relevant inputs. I am satisfied, that the conditions imposed can be modified. Appropriate renewed conditions can be imposed.

4. In the result, this Crl.M.C is allowed. The impugned order shall stand modified. The passport shall be released to the petitioner on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate, undertaking to appear before the learned Magistrate in all the pending cases against her within 30 days of the date on which a direction to that effect is issued by the court concerned to her counsel or any other person to be specified by her;

ii) The petitioner shall deposit a further amount of Rs.10,000/- (Rupees Ten thousand only) as security for release of the passport to her.

Hand over a copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

rtr/-

